



## VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | [www.marvinnc.org](http://www.marvinnc.org)

### PLANNING BOARD MEETING MINUTES

August 21, 2019 – 6:30 p.m. – Village Hall

#### AGENDA ITEM

**1. Call to Order:**

Chairman Jones called the meeting to order at 6:30 p.m.

**2. Determine Quorum:**

Chairman Jones verified a quorum was present.

**Board Members Present:** John Jones, Paul Cappiello, Kelly Cates, Michael Lavelle, Tom Traub and Chris Smith

**Board Members Absent:** Mark Petersen

**3. Adoption of the Agenda:**

Kelly Cates requested moving item #5 to item #3.

**MOTION:** Kelly Cates made a motion to adopt the agenda as amended.

**VOTE:** The motion passed with a unanimous vote.

**4. Adoption of the Meeting Minutes for: 2/08/19; 2/26/19; 3/19/19; 5/6/19; and 5/21/19:**

**MOTION:** Michael Lavelle made a motion to table the meeting minutes until next meeting.

**VOTE:** The motion passed with a unanimous vote.

**5. Public Comment Period:**

- Mary Rokosz, 1251 Restoration Dr., Courtyards of Marvin Subdivision, expressed her concerns about the proposed rezoning on Providence Road in front of the Courtyards of Marvin Subdivision. She was concerned about the design and the types of office buildings on the site.
- Jean Mattson, 1215 Restoration Dr., Courtyards of Marvin Subdivision, also expressed her concerns about the proposed rezoning on Providence Road in front of the Courtyards of Marvin Subdivision. She was concerned about the detention pond and the 100 ft buffer. She was also concerned about a sign referencing commercial development for rent.
- Jenna Hanes, 1305 Haywood Park Dr., Courtyards of Marvin Subdivision, expressed her concerns that the development would have an impact on the quality of life and the environment.
- Lou Tretakoff, 1305 Haywood Park Dr, Courtyards of Marvin Subdivision, expressed his concerns about the proposed commercial property and wanted to know how it came about to be proposed as commercial property.
- Diane DeMacio and Tony DeMacio, 2053 Belle Grove Drive, Courtyards of Marvin Subdivision, expressed her concerns about the traffic study and if the developer was going to install turn lanes and a stop light at the intersection. Suggested a larger venue for the next Public Involvement Meeting and would resident's questions be answered in a professional manner. Mr. DeMacio read the Marvin Mission Statemen aloud. He also expressed his concerns regarding the propose rezoning and state that it is not needed in the area, which would change the integrity of this beautiful place.

NEW BUSINESS ITEMS

**1. Discussion and Consideration of Tree Ordinance Amendments:**

Mr. Rohit Ammanamanchi presented his staff report on a proposed text amendment regarding mitigation tree sizes within the preservation areas. *(See attachment #1: Staff Report on Text Amendment Regarding Mitigation Tree Sizes: is hereby incorporated as reference into the minutes.)* Mr. Bill Smith, Union County Urban Forester, explained the mitigation process to the Planning Board.

It was suggested amending the text ordinance from diameter-at-breast-height (dbh) (4.5 ft above the ground) to caliber (3-inch), which is smaller tree size ensuring survival of the tree.

**ACTION:** The Planning Board requested that Bill Smith be invited back to a future meeting to discuss other parts of the Tree Ordinance in more detail.

**MOTION:** Paul Cappiello made a motion in Section §93.65 to change in the center column “Replacement Canopy Trees” in the second and third box change dbh to caliber. The motion was seconded by Michael Lavelle.

**VOTE:** The motion passed with a unanimous vote.

**2. Discussion and Consideration for Design Revision for Tree Plantings at Wyndmoor:**

Mr. Ammanamanchi reported that there were 120 trees planted in the Wyndmoor Subdivision, 30 trees died and 9 tree that did were not planted. The developer is requesting to replace the trees that died with smaller trees to ensure their survival. *(See attachment #2: Wyndmoor Tree Mitigation Calculations for Replanting is hereby incorporated as reference into these minutes.)* Nothing to approve.

**3. Review of Application #19-12296 Rezoning to Commercial Corridor-Conditional District (CC-CD):** *\*changed at the meeting*

Mr. Ammanamanchi presented his staff report and the Rezoning Application proposing to rezone two residential parcels to commercial. *(See attachment #3: Rezoning Application #19-12296 is hereby incorporated as reference into these minutes.)*

Mr. Mark Kahn, Design Architect with Land Design, Mr. James Mann, with Land Design, Mr. Ashok Patel and Mr. Chirag Patel, attended on behalf of the Jai Ambe Developers, presented the proposed site plans to the Planning Board. Mr. Kahn stated they are proposing to rezone 4 acres on the corner of Bonds Grove Church Road and Providence Road South from residential zoning to the CC-CD. The developers are proposing a total of 50,000 sq. ft. with 2-twostory/20,000 sq. ft. buildings and 2-additional outparcels at 5,000 sq. ft each, which is consistent with Marvin’s Land Use Plan, Mr. Kahn said. Tenants have not been decided, but would include a mixture of retail/office buildings on the site. There are 250 parking spaces proposed for the site. Mr. Kahn stated that Kimley Horn was conducting the Traffic Information Analysis (TIA) for the site. The traffic counts were conducted before the end of the school year. He also stated that conversations continue with NCDOT regarding turn lanes and traffic light. Mr. Kahn stated the buffers were revised to allow more space away from Courtyards of Marvin’s property line but still allow for stormwater management on the site.

**ACTION:** Tom Traub requested that staff research the Resident’s Protest Petition for subdivisions that abuts a development.

**4. Discussion of Final Version of Resident Survey (Information Only):** *\*changed at the meeting*

The Planning Board reviewed and tested the final version of the survey. Members noted that grammatical errors needed to be fixed. They suggested removing question #12, keep #23 and #24, add an arrow at the bottom of the page that allows an individual to go to the previous page and have the confirmation page on a separate page from the submittal page with a submit button on the last page.



**5. Discussion and Revision of Survey Postcards:**

The Planning Board reviewed a draft version of the postcard with household access codes that would be mailed to residents informing them when and how to access the survey. Members felt the postcard was too worded and needed to be revised.

**6. Discussion and Consideration of Stormwater Ordinance Amendments:**

Mr. Ammanamanchi presented his staff report on the amendments to the Stormwater Ordinance §151.062 for the Planning Board to review and provide recommendations for revising the ordinance for Council to approve. *(See attachment #4: Consider Amendments to Stormwater Ordinance is hereby incorporated as reference into these minutes.)*

The Planning Board discussed this item in depth and made the following motion:

**MOTION:** Michael Lavelle made a motion to not recommend changing the ordinance as presented at this time. The motion was seconded by Chris Smith.

**VOTE:** The motion passed with a unanimous vote.

**UNFINISHED BUSINESS ITEMS**

**1. Discussion and Consideration of Chapter 5 of the Land Use Plan:**

**MOTION:** Tom Traub made a motion to table discussion of Chapter 5.

**VOTE:** The motion passed with a unanimous vote.

**AGENDA ITEMS**

**1. Review of Action Items:**

- Staff would research the Resident's Protest Petition for North Carolina.
- Michael Lavelle will form a sub-committee to review the Landscape Ordinance.
- Mr. Ammanamanchi will send survey revisions to CCOG.
- Staff will post the requirements for individuals requesting to speak during Public Comment Period.

**2. Board Member Comments:**

- Kelly Cates: She stated to make it very clear to the public what the rules are for the meeting.

No other member comments were made.

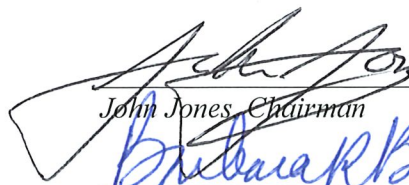
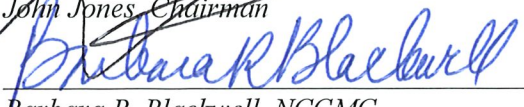
**ADJOURNMENT**

**MOTION:** Chairman Jones made a motion to adjourn the meeting at 10:03 p.m.

**VOTE:** The motion passed with a unanimous vote.

Adopted: 11.4.19



  
John Jones, Chairman  
  
Barbara R. Blackwell, NCCMC  
Clerk, Village of Marvin



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**TO:** Planning Board

**FROM:** Rohit Ammanamanchi, Senior Planner/Zoning Administrator

**SUBJECT:** Text Amendment Regarding Mitigation Tree Sizes

**DATE:** August 15, 2019

### **Background**

Based on Union County Urban Forester comments regarding our required size of mitigation trees, Staff is proposing a text amendment to revise the mitigation tree required sizes. The Urban Forester, Bill Smith, believes that the required tree sizes are a burden to developers, and that smaller trees will eventually grow to the same size and have a higher chance of surviving the first year. Given that he also thinks that it could be an error that we use both measurements of caliper and dbh in the same ordinance, he is recommending that we change all instances of dbh to caliper in §93.65 TREE PLANTING MITIGATION. For definition, caliper is the diameter measured 6 inches above the ground, and dbh (diameter-at-breast-height) is the diameter measured at 4.5 feet above the ground. So, for example, a 3" caliper tree will be smaller than a 3" dbh tree at the time of planting.

### **Current**

Staff would like to consider recommendations on the proposed changes, and present an ordinance change to Village Council at the next meeting.

**§ 93.65 TREE PLANTING MITIGATION.**

(A) Where removal of existing trees is approved as part of an approved site plan, subdivision plat or tree removal permit, new trees shall be planted in the general vicinity of the trees removed, in accordance with the following schedule:

<i>Tree Removed</i>	<i>Replacement Canopy Tree</i>	<i>Replacement Understory Tree</i>
3 inch caliper to less than 18 inches dbhcaliper tree	One 3 inch caliper tree	One 2 inch caliper tree
18 - 24 inch dbhcaliper tree	Two 4 inch dbhcaliper trees or one 6 inch dbhcaliper tree	
24 inch+ dbhcaliper tree	Two 6 inch dbhcaliper trees or one 8 inch dbhcaliper tree	

(B) Where removal of existing trees occurs within proposed or approved exterior perimeter preservation strips or interior preservation areas without a permit, new replacement trees shall be installed at twice the specified replacement size as shown in the schedule above, in addition to other penalties that may be imposed.

(C) Proposed mitigation tree planting shall be shown on a site plan, indicating the proposed location, size and species of mitigation trees. Mitigation tree planting, as may be required herein, within the perimeter preservation strips and interior preservation area(s) shall be undertaken until a density of one canopy or understory tree per 500 square feet (90 per acre) is achieved in both areas. Any remaining mitigation plantings may take place elsewhere on the property.

(D) Mitigation trees shall be installed prior to approval of any final plat or certificate of occupancy.

(E) New tree planting for each single-family lot shall be done on a lot-by-lot basis, prior to the issuance of a certificate of occupancy for each lot. The minimum caliper for canopy shade trees is three inches and a minimum height of ten feet from the ground surface at the time of planting. The minimum caliper for an understory tree shall be two inches and a minimum eight feet from the ground surface at the time of planting. Existing canopy shade trees six to eight inches dbhcaliper and understory trees two to three inches dbhcaliper (outside exterior perimeter preservation strips and interior preservation areas) may be used to meet these planting requirements.

(Ord. OR-2004-10-01, passed 10-19-2004) Penalty, see § 93.99



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**TO:** Planning Board

**FROM:** Rohit Ammanamanchi, Senior Planner/Zoning Administrator

**SUBJECT:** Wyndmoor Design Revision Regarding Required Tree Plantings

**DATE:** August 15, 2019

### **Background**

Wyndmoor's developers have approached staff with the concern that the Village's mitigation tree planting required them to plant trees that were too large for the space available and about a quarter of them had died. Wyndmoor is requesting that the Village relax the requirement on mitigation trees when they go to replace the 26 trees that died and 9 that have not been planted yet. They request that we allow them to plant smaller trees which will have a higher chance of surviving.

### **Current**

Staff would like to consider options for allowing Wyndmoor to plant smaller trees than what is currently stated in our ordinance.



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**TO:** Planning Board

**FROM:** Rohit Ammanamanchi, Senior Planner/Zoning Administrator

**SUBJECT:** Review Application #19-12296 Rezoning to CC-CD

**DATE:** August 15, 2019

### **Background**

On July 25, 2019, Jai Ambe Developers submitted an application to rezone two parcels on Providence Road S to Commercial Corridor Conditional District (CC-CD). As per Marvin Ordinance §151.251, the rezoning process involves 2 Public Involvement Meetings, 2 Planning Board Meetings, and a Council Meeting consisting of a Public Hearing. A Public Involvement Meeting (PIM) took place at Village Hall on August 7. The coming Planning Board Meeting will be the first of two Planning Board Reviews. Attached to this memo is the application, site plan, and comments from the first PIM.

### **Current**

Staff would like Planning Board to review the rezoning application, review the comments from the PIM, and provide revisions to the site plan.



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Application Number: 19-12296

## APPLICATION FOR CONDITIONAL DISTRICT

Address of Subject Property:

2102 S Providence Rd, Marvin, NC 28173 (PID 06186008)  
2112 S Providence Rd, Waxhaw, NC 28173 (PID 06186009)

Applicant(s) Name: JAI AMBE DEVELOPERS LLC

Phone: 917-689-3682

Address of Applicant: 3883 PURCHASE STREET

FAX: \_\_\_\_\_

PURCHASE, NY 10577

Zip Code: 10577

Email: ASHOKKUMAL89@GMAIL.COM

Owner(s) Name:

JAI AMBE DEVELOPERS LLC  
SAAJAN PATEL

Phone: 917-689-3682

Address of Owner: 3883 PURCHASE STREET

FAX: \_\_\_\_\_

PURCHASE, NY 10577

Zip Code: 10577

Email: ASHOKKUMAL89@GMAIL.COM

Request is for (check all that apply):

PLEASE SEE ADDITIONAL SHEET FOR  
CO-APPLICANT/CO-OWNER INFORMATION

☒ Commercial Corridor Conditional District (CC-CD)

☐ Mixed Use Conditional District (MX-CD)

☐ Mixed Use 2 Conditional District (MX2-CD)

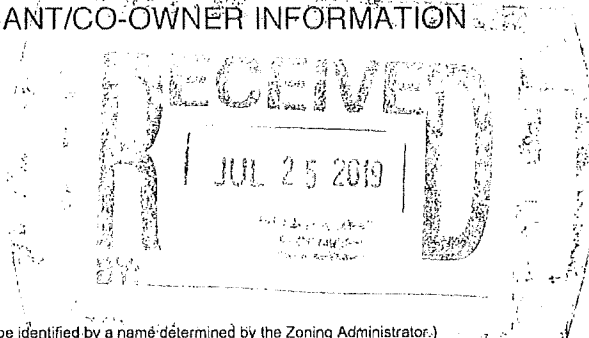
☐ Office Conditional District (O-CD)

☐ Business Conditional District (B-CD)

☐ Individual Conditional District (Each individual conditional district shall be identified by a name determined by the Zoning Administrator.)

☐ Education Overlay District (EO)

☐ Conditional Zoning Amendment



Does the applicant own one hundred percent (100%) of the area involved in the application (yes or no)?

If no, a consent form must be completed.

☐ Consent Form Attached

Was this property the subject of any **previous application** (yes or no)?

If yes, list the previous application number(s):

Tax Parcel Numbers: 06186008 & 06186009



## APPLICATION FOR CONDITIONAL DISTRICT – PAGE 2

Acreage 9.4240 Current Zoning Classification: Residential - Single Family  
Land Use Plan recommendation: Commercial Corridor  
Existing Use of the Subject Property: Residential - Single Family  
Existing Improvements on the Subject Property: Single-Family (Dwelling)

Provide a **detailed description** of the proposal. Attached additional pages or documentation if necessary.

CC-CD zoning classification is proposed for this property. +/-50k total square feet of commercial/retail is proposed. Two one acre outparcels fronting on Bonds Grove Church Rd are proposed.

Specify any specific ordinance(s), standard(s), condition(s), and/or regulation(s) sought to be modified. Attached additional pages or documentation if necessary.

**Oath:** The above information, to my knowledge and belief, is true and correct.

SAAJAN PATEL

Sajaan Patel

Signature(s) of Petitioner(s)

STATE OF New York  
COUNTY OF New York

Subscribed and sworn to before me this

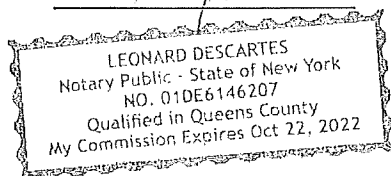
10<sup>th</sup> day of July, 20 19

Notary Public

Printed Name of Notary Public

My Commission expires:

10/22/2022



Thomas B. Cook

Thomas B. Cook

Signature(s) of Owner(s) (if different than petitioner)

STATE OF North Carolina  
COUNTY OF Mecklenburg

Subscribed and sworn to before me this

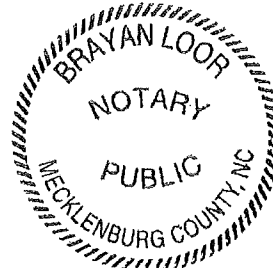
16 day of JULY, 20 19

Notary Public

Printed Name of Notary Public

My Commission expires:

JUNE 19 2021



# PROVIDENCE ROAD COMMERCIAL SITE

## REZONING PETITION

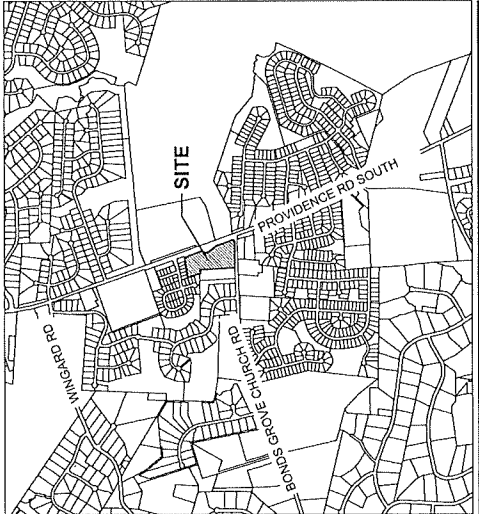
VILLAGE OF MARVIN, UNION COUNTY, NORTH CAROLINA

DATE: 07/24/19

### SHEET INDEX

- RZ1.0 COVER SHEET
- RZ1.1 SURVEY & TREE SURVEY
- RZ2.0 TECHNICAL DATA SHEET
- RZ3.0 OVERALL SITE PLAN
- RZ4.0 DEVELOPMENT STANDARDS
- RZ5.0 TREE PRESERVATION PLAN
- RZ6.0 GRADING PLAN

### VICINITY MAP



### PROJECT TEAM

**OWNER/DEVELOPER**  
JAI AMBE DEVELOPERS LLC  
3883 PURCHASE ST  
PURCHASE, NY 10577  
CONTACT: ASHOK PATEL  
917.688.3682

THOMAS BRADLEY COOK  
2112 SOUTH PROVIDENCE RD  
MARVIN, NC 28173  
CONTACT: THOMAS COOK  
704.763.1730

**LANDSCAPE ARCHITECT**  
LANDDESIGN, INC  
223 NORTH GRAHAM STREET  
CHARLOTTE, NC 28202  
CONTACT: MARK KINE, PLA  
704.333.0325

**CIVIL ENGINEER**  
LANDDESIGN, INC  
223 NORTH GRAHAM STREET  
CHARLOTTE, NC 28202  
CONTACT: KRIS ROWE, PE  
704.333.0325

**SURVEYOR**  
LDSI, INC.  
201 W 28TH ST  
CHARLOTTE, NC 28205  
CONTACT: DAVID BOYLES  
704.309.8216







- [illegible]





NOT FOR  
CONSTRUCTION

PROVIDENCE  
ROAD  
COMMERCIAL  
SITE

JAI AMBE DEVELOPERS, LLC  
PROVIDENCE RD SOUTH &  
BONDS GROVE CHURCH RD  
MARVIN, NC

101001

REVISION / ISSUANCE

DESCRIPTION	DATE
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10	
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RAYN BY: JEM

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KAY,

NOT TO SCALE

TABLE 1

## EE PRESERVATION PLAN

0720

0.0-7.1

## TREE PRESERVATION & MITIGATION

VOLUME OF MAINTENANCE REQUIREMENTS			REPLACEMENT CANOPY TREE	REPLACEMENT UNDERGROW TREE
TREE REMOVED				
3 INCH CALIPER TO LESS THAN 18 INCHES DBH TREE		ONE 3 INCH CALIPER TREE		ONE 2 INCH CALIPER TREE
18-24 INCH DBH TREE		TWO 4 INCH DBH TREES OR ONE 6 INCH DBH TREE		
24 INCH DBH TREE		TWO 6 INCH DBH TREES OR ONE 8 INCH DBH TREE		

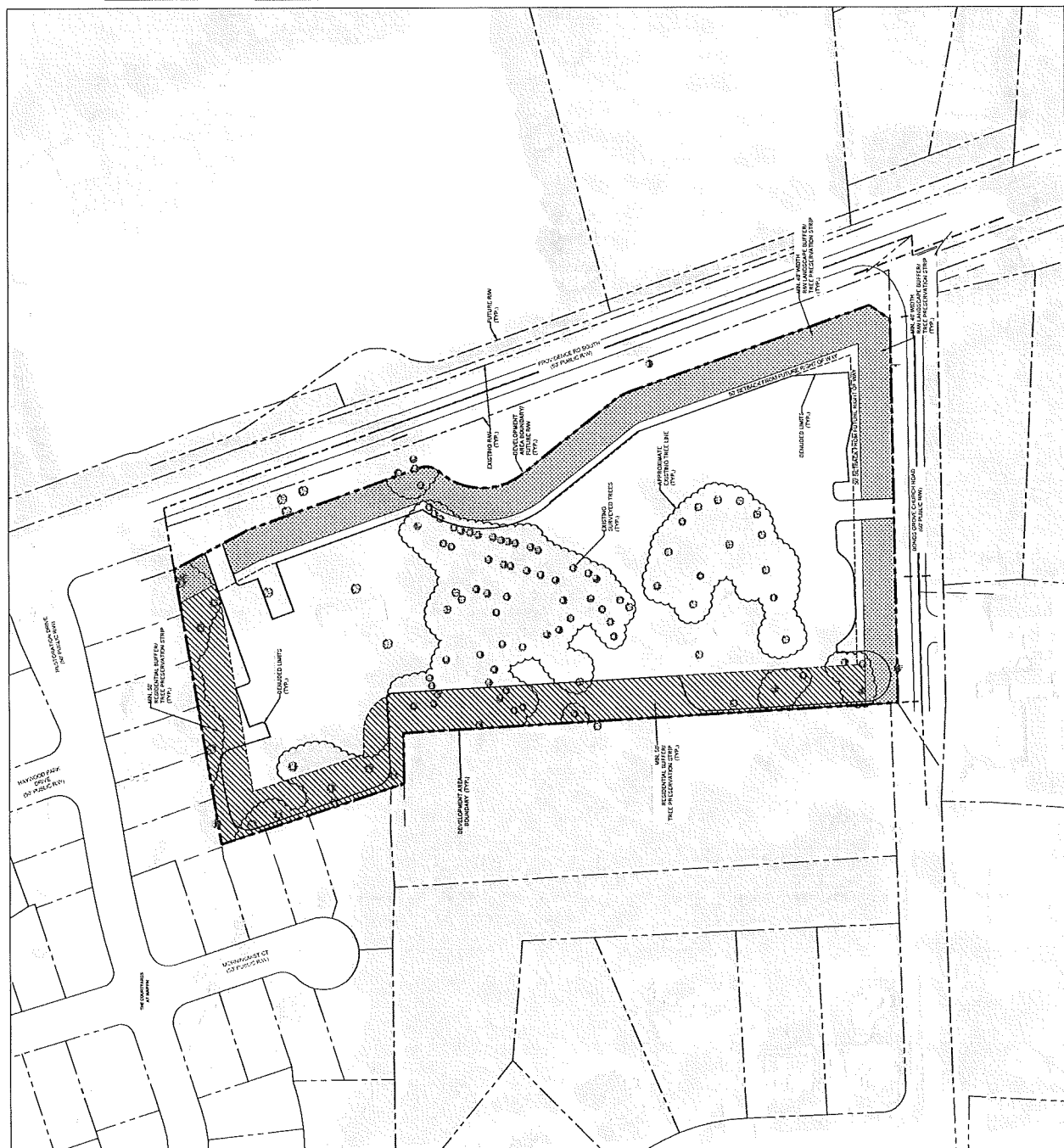
TREES PRESERVATION/MITIGATION SUMMARY		
TREES REMOVED	REPLACEMENT CANOPY TREE	
3" TO LESS THAN 18" CALIPER TREES REMOVED:	65	(65) 3" CAL. TREES
18"-24" CALIPER TREES REMOVED:	13	(13) 6" CAL. TREES OR (26) 4" CAL. TREES
24" CALIPER + TREES REMOVED:	9	(9) 8" CAL. TREES OR (18) 6" CAL. TREES

**EXTERIOR PERIMETER PRESERVATION STRIP**

PERIMETER PRESERVATION STRIPS AND INTERIOR PRESERVATION AREAS SHALL CONTAIN NO LESS THAN ONE CANOPY TREE PER 2,500 SQUARE FEET (OR APPROXIMATELY 18 PER ACRE).

[illegible]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 08-11-2010 BY 60322 UCBAW/SJS





NOT FOR  
CONSTRUCTION

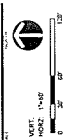
PROVIDENCE  
ROAD  
COMMERCIAL  
SITE

JAI AMBE DEVELOPERS, LLC  
PROVIDENCE RD SOUTH &  
BONDS GROVE CHURCH RD  
MARVIN, NC

1019004

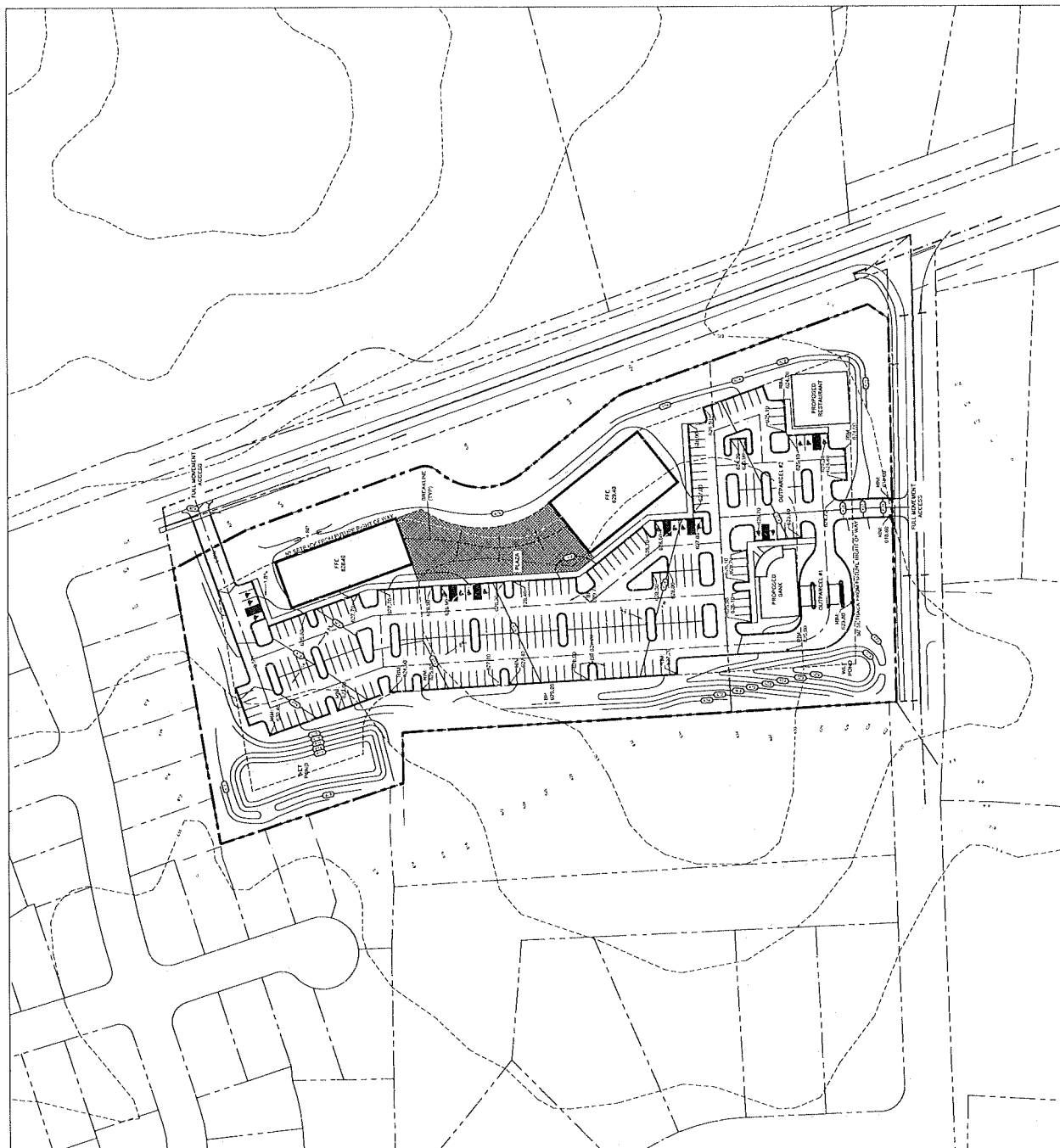
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DESIGNED BY: MEK  
DRAWN BY: JLM  
CHECKED BY: LDI



## GRADING PLAN

RZ-6.0



- NOTES.
1. ALL CONTINGENT AND PAY ELEMENTS REFLECT FINISHED GRADES ON THE ENTIRE CONSTRUCTION OF THE PROJECT.
2. REFER TO THE CONSTRUCTION OF CONTINGENT OF DIRECTION ON THE CONTRACT FOR ANY STRUCTURAL CONSIDERATIONS.
3. THE CONTRACT SHALL BE CONDUCTED AT 1/2 HOURS TO 1/4 HOURS TO 1/8 HOURS TO 1/16 HOURS TO 1/32 HOURS TO 1/64 HOURS TO 1/128 HOURS TO 1/256 HOURS TO 1/512 HOURS TO 1/1024 HOURS TO 1/2048 HOURS TO 1/4096 HOURS TO 1/8192 HOURS TO 1/16384 HOURS TO 1/32768 HOURS TO 1/65536 HOURS TO 1/131072 HOURS TO 1/262144 HOURS TO 1/524288 HOURS TO 1/1048576 HOURS TO 1/2097152 HOURS TO 1/4194304 HOURS TO 1/8388608 HOURS TO 1/16777216 HOURS TO 1/33554432 HOURS TO 1/67108864 HOURS TO 1/134217728 HOURS TO 1/268435456 HOURS TO 1/536870912 HOURS TO 1/1073741824 HOURS TO 1/2147483648 HOURS TO 1/4294967296 HOURS TO 1/8589934592 HOURS TO 1/17179869184 HOURS TO 1/34359738368 HOURS TO 1/68719476736 HOURS TO 1/137438953472 HOURS TO 1/274877906944 HOURS TO 1/549755813888 HOURS TO 1/1099511627776 HOURS TO 1/2199023255552 HOURS TO 1/4398046511104 HOURS TO 1/8796093022208 HOURS TO 1/17592186044416 HOURS TO 1/35184372088832 HOURS TO 1/70368744177664 HOURS TO 1/140737488355328 HOURS TO 1/281474976710656 HOURS TO 1/562949953421312 HOURS TO 1/1125899906842624 HOURS TO 1/2251799813685248 HOURS TO 1/4503599627370496 HOURS TO 1/9007199254740992 HOURS TO 1/18014398509481984 HOURS TO 1/36028797018963968 HOURS TO 1/72057594037927936 HOURS TO 1/144115188075855872 HOURS TO 1/288230376151711744 HOURS TO 1/576460752303423488 HOURS TO 1/1152921504606846976 HOURS TO 1/2305843009213693952 HOURS TO 1/4611686018427387904 HOURS TO 1/9223372036854775808 HOURS TO 1/18446744073709551616 HOURS TO 1/36893488147419103232 HOURS TO 1/73786976294838206464 HOURS TO 1/147573952589676412928 HOURS TO 1/295147905179352825856 HOURS TO 1/590295810358705651712 HOURS TO 1/1180591620717411303424 HOURS TO 1/2361183241434822606848 HOURS TO 1/4722366482869645213696 HOURS TO 1/9444732965739290427392 HOURS TO 1/18889465931478580854784 HOURS TO 1/37778931862957161709568 HOURS TO 1/75557863725914323419136 HOURS TO 1/151115727451828646838272 HOURS TO 1/302231454903657293676544 HOURS TO 1/604462909807314587353088 HOURS TO 1/1208925819614629174706176 HOURS TO 1/2417851639229258349412352 HOURS TO 1/4835703278458516698824704 HOURS TO 1/9671406556917033397649408 HOURS TO 1/19342813113834066795298816 HOURS TO 1/38685626227668133590597632 HOURS TO 1/77371252455336267181195264 HOURS TO 1/154742504910672534362390528 HOURS TO 1/309485009821345068724781056 HOURS TO 1/618970019642690137449562112 HOURS TO 1/1237940039285380274899124224 HOURS TO 1/2475880078570760549798248448 HOURS TO 1/4951760157141521099596496896 HOURS TO 1/9903520314283042199192993792 HOURS TO 1/19807040628566084398385987584 HOURS TO 1/39614081257132168796771975168 HOURS TO 1/79228162514264337593543950336 HOURS TO 1/158456325028528675187087900672 HOURS TO 1/316912650057057350374175801344 HOURS TO 1/633825300114114700748351602688 HOURS TO 1/1267650600228229401496703205376 HOURS TO 1/2535301200456458802993406410752 HOURS TO 1/5070602400912917605986812821504 HOURS TO 1/10141204801825835211973625643008 HOURS TO 1/20282409603651670423947251286016 HOURS TO 1/40564819207303340847894502572032 HOURS TO 1/81129638414606681695789005144064 HOURS TO 1/162259276829213363391578010288128 HOURS TO 1/324518553658426726783156020576256 HOURS TO 1/649037107316853453566312041152512 HOURS TO 1/1298074214633706907132624082305024 HOURS TO 1/2596148429267413814265248164610048 HOURS TO 1/5192296858534827628530496329220096 HOURS TO 1/10384593717069655257060992658440192 HOURS TO 1/20769187434139310514121985316880384 HOURS TO 1/41538374868278621028243970633760768 HOURS TO 1/83076749736557242056487941267521536 HOURS TO 1/166153499473114484112975882535043072 HOURS TO 1/332306998946228968225951765070086144 HOURS TO 1/664613997892457936451903530140172288 HOURS TO 1/1329227995784915872903807060280344576 HOURS TO 1/2658455991569831745807614120560689152 HOURS TO 1/5316911983139663491615228241121378304 HOURS TO 1/10633823966279326983230456482242756608 HOURS TO 1/21267647932558653966460912964485513216 HOURS TO 1/42535295865117307932921825928971026432 HOURS TO 1/85070591730234615865843651857942052864 HOURS TO 1/170141183460469231731687303715884105728 HOURS TO 1/340282366920938463463374607431768211456 HOURS TO 1/680564733841876926926749214863536422912 HOURS TO 1/1361129467683753853853498429727072845824 HOURS TO 1/272225893536750770770699685945414569152 HOURS TO 1/544451787073501541541399371890829138304 HOURS TO 1/1088903574147003083082798743781658276608 HOURS TO 1/2177807148294006166165597487563316553216 HOURS TO 1/4355614296588012332331194975126633106432 HOURS TO 1/8711228593176024664662389950253266212864 HOURS TO 1/17422457186352049329324779900506524425728 HOURS TO 1/34844914372704098658649559801013048851456 HOURS TO 1/69689828745408197317299119602026097702912 HOURS TO 1/139379657490816394634598239204052195405824 HOURS TO 1/278759314981632789269196478408104390811648 HOURS TO 1/557518629963265578538392956816208781623296 HOURS TO 1/111503725992653115707678591363241736



# MEETING NOTES

**DATE:** 08/07/19

**PROJECT #:** 1019004

**PROJECT NAME:** Providence Road Commercial Site

**MEETING LOCATION:** Village of Marvin - Village Hall

**PURPOSE:** First Public Information

**SUBMITTED BY:** James Mann

**ATTENDEES:** Ashok Patel, Chirag Patel, James Mann, Rohit Ammanamanchi, residents of the Village of Marvin.

## MEETING NOTES:

The meeting minutes below highlight the points of discussion brought up by the Village of Marvin residents and neighbors of the Courtyards at Marvin subdivision that is located in close proximity to the subject site.

Responded to Question Key:

JM: James Mann, RA: Rohit Ammanamanchi, AP: Ashok Patel, CP: Chirag Patel

Questions From Audience:

19. Is this land designated as commercial in the future land use plan for the Village of Marvin?

RA: Yes it is.

20. Why are you allowing rezoning of this property?

RA: This land has been designated as commercial in our future land use plan.

21. Are not there concerns about polluted water entering the wetponds? the parking lot will contain chemicals like gas and oil.

JM: The purpose of the wet ponds are to capture much of these chemicals from the storm water and ensure that the water is as purified as possible before being allowed to infiltrate the ground.

22. Is there any commercial zoning in Marvin?

RA: currently no. This project would be the first.

23. Why has Marvin planning changed their mind.

RA: this decision is made based upon a long term future land use plan.

24. In Weddington, 84 & 16 is the only place where commercial is allowed. Why not do the same here in Marvin?

RA: this decision is made based upon a long term future land use plan.

25. Who is in favor of this project? Incoming or outgoing council?

RA: We have heard opinions from both sides.

*These notes reflect the author's interpretation of the events at the referenced meeting. Any changes or additions required should be submitted to the author in writing.*

Updated on 8.18.2017

# MEETING NOTES

**PROJECT NAME:** Providence Road Commercial Site

**PROJECT #:** 1019004

26. What are the landscape requirements? Are trees required? Tree islands in parking lot?  
JM: based on the Marvin UDO for this zoning type, there are several strict landscape requirements that will ensure that the site is visually attractive. Yes, trees and parking lot islands are required.
27. Can the types of tenants be restricted?  
RA: the types of uses allowed may be restricted. Specific tenants cannot be excluded if they are in compliance with the allowed uses.
28. What is happening with the adjacent church parcel? We have heard rumors that the church wants to sell it.  
RA, AP, CP: We are unaware of any matters relating to the church parcel.
29. Can a berm with trees be planted as part of the buffer between residential and the site?  
JM: Specifics of the design will be determined as the plan progresses.
30. Will there be a fence or brick wall along the perimeter with residential?  
JM: Specifics of the design will be determined as the plan progresses.
31. Will noise blocking measures be installed along the perimeter with the residential?  
JM: Specifics of the design will be determined as the plan progresses.
32. Will the BMP's be full of trash?  
JM: BMP's are often fitted with a trash collector. The property management is typically responsible for keeping the BMP's maintained.
33. How do the maintenance agreements work between tenants and maintenance company? does Village of Marvin require maintenance agreement?  
RA: The Village of Marvin UDO addresses such issues.
34. Will bonds be required for the ponds?  
RA: I will look into this issue.
35. Can the plaza be moved the center of the site?  
JM: We are receptive to all of your feedback regarding the design of the site. These specific decisions will be discussed.
36. What is the distance to from the site entrance to the Marvin Court entrance?  
JM: this distance is approximately 225 feet.  
RA: There are recommendations that the entrance be relocated farther south.
37. Can the wetpond be located in the area where the plaza is currently shown?  
Based on the current topography of the site, the wet ponds are located in areas where natural site drainage is occurring. These locations would require the least amount of site grading and therefor the least amount of environmental disturbance.

*These notes reflect the author's interpretation of the events at the referenced meeting. Any changes or additions required should be submitted to the author in writing.*

Updated on 8.18.2017



## VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | [www.marvinnc.org](http://www.marvinnc.org)

**TO:** Planning Board

**FROM:** Rohit Ammanamanchi, Senior Planner/Zoning Administrator

**SUBJECT:** Consider Amendments to Stormwater Ordinance

**DATE:** August 15, 2019

### **Background**

Due to budget limitations for our Village Hall site, Council has been exploring options to review the site. The site had called for two wet ponds, but Charlotte's Stormwater Ordinance (which we follow as per §151.062) allows no wet ponds when the regrading of the site is less than 1 acre. However, Marvin's ordinance §151.062(B) insists that ALL developments require stormwater detention to control runoff from 100-year storms. Councilmember Shkut has asked staff to revise the ordinance to match Charlotte's ordinance so that small developments do not need to build a wet pond.

### **Current**

Staff would like Planning Board to review and provide recommendations to the proposed ordinance change.

#### **§ 151.062 STORMWATER DRAINAGE/STORMWATER DETENTION.**

The village hereby adopts and incorporates herein the provisions contained in the *Charlotte-Mecklenburg Stormwater Manual*, as amended (hereinafter referenced as the *Stormwater Manual*), with the following exceptions:

(A) Necessary deviations from the *Stormwater Manual* as may be necessary to accommodate soil types found in the county, and village's subdivision and zoning regulations. When discrepancies are found between the *Stormwater Manual* and the village zoning regulations or subdivision regulations, the stricter regulation shall apply.

(B) In order to prevent flooding and damage to properties, all developments **regrading greater than one acre** shall provide stormwater detention to control the peak runoff from the two-, ten-, 25-, 50- and 100-year, 24-hour storm events to pre-development levels.

(C) A design professional shall certify documents demonstrating that construction of the project or subdivision will not increase the rate of runoff from the site nor cause any adverse impacts on downstream facilities or property.

(D) Where ponds are proposed to be constructed, the owners, heirs, assigns or successors of the land shall agree to perpetual maintenance of the pond and shall release and hold harmless the village from any liability, claims, demands, attorney's fees and costs or judgments arising from the pond. At a minimum, ponds shall be inspected on a yearly basis.

(E) No certificate of occupancy or release of performance bond funds (as addressed in § 150.081) shall be issued for any development until a registered land surveyor has surveyed the as-built detention facilities and the revised calculations have been submitted and approved by the village. The revised calculations must be sealed by a design professional. In addition, the village shall not grant final plat approval unless the village has approved the as-built detention plans and/or a performance bond has been secured.

(F) When a detention facility serves more than one property, a permanent detention easement which encompasses the detention facility shall be shown on a recorded plat. This easement shall be described by metes and bounds description.

(G) There shall be a note placed on the recorded plat that clearly describes who is responsible for maintenance of the detention facilities, pipes and/or channels located within the permanent detention facility.

(H) The Village Engineer, on a case-by-case basis, may approve other deviations from the *Stormwater Manual*.

(Ord. OR-1996-02-01, passed 2-13-1996)